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Docket No. ZZ 5244 DIV (C15488/122048)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Clyde E. BISHOP *et al.*

Serial No.: 09/823,393

Filed: March 30, 2001

For: METALLOCENE COMPOUNDS AND  
USE THEREOF IN CATALYSTS FOR  
THE POLYMERIZATION OF OLEFINS

Examiner: Ling Siu Choi

Art Unit: 1713

RECEIVED  
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TC 1700

New York, New York  
December 3, 2003

**RESPONSE TO RESTRICTION REQUIREMENT  
INCLUDING PETITION FOR EXTENSION OF TIME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

**REQUEST FOR EXTENSION OF TIME**

Applicants hereby request a one month extension of time in which to respond to the Office Action mailed October 3, 2003 (which imposed a restriction requirement and set forth a shortened period of one month for response) hereby extending the period for response from November 3, 2003 to December 3, 2003. Accordingly, this Response is timely filed with an executed certificate of mailing on or before December 3, 2003. See 37 CFR §1.8. A check in the amount of \$110.00 to cover the required fee for a large entity pursuant to 37 C.F.R. §1.17(b) is enclosed herewith.

It is not believed that this response occasions any other fee, but should there be any such fee, please charge to Deposit Account No. 02-4467.

## RESPONSE

In the Office Action, the Examiner stated that the invention contained three groups of inventions which have been labeled Groups I, II and III. The Examiner considers these inventions to be distinct from each other requiring restriction under MPEP §806.05(a).

In accordance with the requirement, applicants hereby elect with traverse to prosecute the subject matter of Group II, namely claims 27-31, drawn to a cyclopentadiene ligand and a catalyst. Notwithstanding Applicant's traverse, the applicants reserve the right under U.S. Patent laws to prosecute the unclaimed subject matter in a divisional, continuation or continuation-in-part application at a later time.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, D.C. 22313-1450, on December 3, 2003
(Date of Deposit)
Charles M. Avigliano
Name of applicant, assignee, or Registered Representative
<u>Charles M. Avigliano</u>
Signature
12/3/03
Date of Signature